



Honorable Gary Spraker
United States Bankruptcy Judge



Entered on Docket
September 20, 2021

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

DOUBLE JUMP, INC.,

Debtor(s).

Lead Case No.: BK-19-50102-gs
Chapter 7

Substantively Consolidated With:

19-50130-gs	DC Solar Solutions, Inc.
19-50131-gs	DC Solar Distribution, Inc.
19-50135-gs	DC Solar Freedom, Inc.

Affects:

☒ DC Solar Solutions, Inc.
☒ DC Solar Distribution, Inc.
☒ DC Solar Freedom, Inc.
☒ Double Jump, Inc.

CHRISTINA W. LOVATO,

Plaintiff(s),

v.

KING SOLARMAN, INC., CHIANG LIAN
CUNG a/k/a MICHAEL CUNG, KING
SOLARMAN (INDION) FUND I, LLC, AND
KING SOLARMAN (INDION) FUND II,
LLC,

Defendant(s).

Adv. Proc. No. 21-05028-gs

Hearing Date: September 17, 2021

Hearing Time: 9:30 a.m.

ORDER DENYING MOTIONS TO DISMISS

Defendants King Solarman, Inc., King Solarman (Indion) Fund I, LLC (“Solarman Fund I”), and King Solarman (Indion) Fund II, LLC (“Solarman Fund II”) and Chiang Lian Cung a/k/a Michael Cung (collectively, “Defendants”) have moved to dismiss plaintiff chapter 7 trustee Christina Lovato’s First Amended Complaint (“FAC”) without leave to amend. (ECF Nos. 65 and 68). The trustee opposed the motion. The court held a hearing on the motion on September 17, 2021. Appearances were noted on the record. Having considered the motion, opposition, reply and oral arguments, the court shall deny the motion to dismiss for the reasons stated during the hearing and incorporated herein.

During the argument, a disagreement arose concerning the construction of § 33 of the FAC. As stated during oral argument, the court construed the paragraph to challenge a consulting agreement between J&C Consulting, Inc. and King Solarman, Inc. Counsel for the trustee confirmed the intent to allege an agreement between these entities. Counsel for Defendants, however, read the paragraph to state an alleged agreement between J&C Consulting and DC Solar (as defined in the FAC). The court credits the trustee’s reading and incorporates that construction into its decision to deny the motion to dismiss.

Therefore,

IT IS ORDERED that the Motion to Dismiss First Amended Adversary Complaint (ECF 65) filed by defendants King Solarman, Inc., King Solarman (Indion) Fund I, LLC, and King Solarman (Indion) Fund II, LLC (ECF No. 65) and the Motion to Dismiss First Amended Adversary Complaint filed by defendant Chiang Lian Cung a/k/a Michael Cung (ECF No. 68) are DENIED.

Copy sent to all parties and/or their counsel via CM/ECF Electronic Notice.

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